

Minutes of the Regular Business Meeting of the
Board of Mayor and Aldermen of the City of Kingsport, Tennessee
Tuesday, February 16, 2010, 7:00 PM
Large Court Room – City Hall

PRESENT:

Board of Mayor and Aldermen

Mayor Dennis R. Phillips, Presiding

Alderman Valerie Joh

Vice-Mayor Benjamin K. Mallicote

Alderman Charles K. Marsh, Jr.

Alderman Larry A. Munsey

Alderman Tom C. Parham

City Administration

John G. Campbell, City Manager

Joseph E. May, Assistant City Attorney

James H. Demming, City Recorder

- I. **CALL TO ORDER:** 7:00 p.m., by Mayor Dennis R. Phillips.
- II.A. **PLEDGE OF ALLEGIANCE TO THE FLAG:** Led by Boy Scouts, Preston Miller and Peyton Young, in attendance to satisfy requirements to earn *Citizenship in the Community* badges.
- II.B. **INVOCATION:** By Pastor Kimberly Goddard of Mafair United Methodist Church.
- III. **ROLL CALL:** By City Recorder Jim Demming. Absent: Alderman Jantry Shupe.
- IV. **RECOGNITIONS AND PRESENTATIONS.** Mayor Phillips recognized Mr. Bob Copas, an active member of the Lynn Garden community.
- V. **APPROVAL OF MINUTES.**

Motion/Second: Mallicote/Joh, to approve minutes for the following meetings:

A. February 1, 2010 Regular Work Session

B. February 2, 2010 Regular Business Meeting

Approved: All present voting "aye."

VI. **COMMUNITY INTEREST ITEMS.**

AA. **PUBLIC HEARINGS.**

1. **Public Hearing for Annexation Annual Plan of Services Report** (AF: 5-2010). City Planner Forrest Koder provided information on this agenda item.

PUBLIC COMMENT ON ITEM VI.AA.1. None.

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A. PUBLIC COMMENT. Mayor Phillips invited citizens in attendance to speak about any of the remaining agenda items. There being no one coming forward to speak, the Mayor closed the public comment segment.

B. BUSINESS MATTERS REQUIRING FIRST READING.

1. Consideration of a Budget Ordinance to Appropriate Funds for a Contract with the Virginia Department of Rail and Public Transportation and the Tennessee Department of Transportation Accepting Federal and State Transportation Planning Funds on Behalf of the Kingsport MPO (AF: 52-2010).

Motion/Second: Mallicote/Joh, to pass:

AN ORDINANCE TO AMEND THE METROPOLITAN PLANNING BUDGET BY APPROPRIATING GRANT FUNDS RECEIVED FROM THE STATE OF TENNESSEE DEPARTMENT OF TRANSPORTATION AND FROM THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

2. Budget Ordinance Appropriating Funds from General Fund Balance to Street Maintenance to Cover Cost Overage Due to Winter Weather Events (AF: 59-2010). Public Works Director Ryan McReynolds explained that this request for additional funds is due to the excessive amounts of salt and employee overtime necessary to keep roads safe and passable through recent inclement weather.

Mayor Phillips pointed out the negative financial impact this weather has had on the loss of sales tax revenue and Alderman Marsh mentioned the additional increase in maintenance and repair expense to deal with the wear and tear on the City streets.

Motion/Second: Joh/Parham, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND AND THE STATE STREET AID FUND BUDGETS BY APPROPRIATING FUNDS FROM THE GENERAL FUND UNDESIGNATED FUND BALANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

3. Consideration of an Ordinance to Amend the General Fund by Transferring Funds from the Hope VI Project (AF: 61-2010).

Motion/Second: Parham/Joh, to pass:

AN ORDINANCE TO AMEND THE GENERAL FUND BY TRANSFERRING FUNDS FROM THE HOPE VI PROJECT FOR THE FISCAL YEAR ENDING JUNE 30, 2010; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on first reading: All present voting "aye."

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C. **BUSINESS MATTERS REQUIRING FINAL ADOPTION.** None.

D. **OTHER BUSINESS.**

1. Consideration of a Resolution Authorizing Application for Annual MPO Grant Funds and Execution of Contract Between the Virginia Department of Rail and Public Transportation and the City of Kingsport on Behalf of the Kingsport MPO for Fiscal Year 2011 Federal Transit Administration Section 5303 Planning Funds (AF: 53-2010).

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2010-179, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION GRANT FUNDS UNDER THE FEDERAL TRANSIT ADMINISTRATION SECTION 5303 PROGRAM FOR FISCAL YEAR 2011

Passed: All present voting "aye."

2. Consideration of a Resolution Authorizing the Mayor to Sign All Applicable Documents to Enter into a Professional Service Agreement with Hazen and Sawyer for a Water System Master Plan (AF: 55-2010).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2010-180, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH HAZEN AND SAWYER FOR A WATER TREATMENT MASTER PLAN AND ALL DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

3. Consideration of a Resolution to Authorize the Mayor to Reject All Bid(s) Related to the Purchase of One (1) Fire Pumper Apparatus (AF: 56-2010). City Manager Campbell explained that bids received were higher than desired and this action would allow the City to reject those received and re-bid.

Alderman Marsh requested that Board members be notified prior to the re-bidding process and further explained that, if there is no immediate need to purchase a replacement pumper, he would recommend the City get the best interest rate return on the fleet funds set aside for this equipment over the next two to three years.

Motion/Second: Parham/Munsey, to pass:

Resolution No. 2010-181, A RESOLUTION REJECTING ALL BIDS RELATED TO THE PURCHASE OF ONE (1) FIRE PUMPER

Passed: All present voting "aye."

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4. Consideration of a Resolution Authorizing the Execution of an Amendment to the Agreement with Gordon Food Services for Various Food Items for the City of Kingsport School Food and Nutrition Service (AF: 54-2010).

Motion/Second: Joh/Munsey, to pass:

Resolution No. 2010-182, A RESOLUTION EXERCISING THE RENEWAL OPTION IN THE AGREEMENT WITH GORDON FOOD SERVICES FOR THE KINGSFORT SCHOOL SYSTEM SCHOOL NUTRITION PROGRAM AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

Passed: All present voting "aye."

5. Consideration of a Resolution to Authorize the Mayor to Sign All Documents Necessary to Submit a Grant Application to the Tennessee Parks and Greenways Foundation (AF: 51-2010).

Motion/Second: Parham/Munsey, to pass:

Resolution No. 2010-183, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO APPLY FOR AND RECEIVE A TENNESSEE PARKS AND GREENWAYS FOUNDATION GRANT

Passed: All present voting "aye."

6. Consideration of a Resolution Approving the Donation of Items for the John R. Hay House (AF: 48-2010).

Motion/Second: Joh/Parham, to pass:

Resolution No. 2010-184, A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE CITY RECORDER TO DONATE THE PROPERTY FROM THE CITY TO THE JOHN R. HAY HOUSE

Passed: All present voting "aye."

7. Consideration of a Resolution Authorizing the Mayor to Execute a Contract to Engage the Firm of Blackburn, Childers and Steagall, PLC to Audit the Records and Accounts of the City of Kingsport for the Fiscal Year Ending June 30, 2011 (AF: 50-2010).

Motion/Second: Munsey/Mallicote, to pass:

Resolution No. 2010-185, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY AND PROPER TO ENGAGE THE FIRM OF BLACKBURN, CHILDERS AND STEAGALL, PLC TO AUDIT THE RECORDS AND ACCOUNTS OF THE CITY OF KINGSFORT SCHOOL ACTIVITY FUNDS, FOOD SERVICE FUND, THE CITY'S GOVERNMENTAL FUNDS, PROPRIETARY FUNDS, ACCOUNT GROUPS AND THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF KINGSFORT FOR THE FISCAL YEAR ENDING JUNE 30, 2011

Passed: All present voting "aye."

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E. APPOINTMENTS/REAPPOINTMENTS.

1. Consideration of a Reappointment to the Kingsport Housing & Redevelopment Authority (AF: 62-2010).

Motion/Second: Joh/Munsey, to approve the following:

REAPPOINTMENT OF MS. LINDA CALVERT TO SERVE AN ADDITIONAL FIVE-YEAR TERM ON THE **KINGSPORT HOUSING & REDEVELOPMENT AUTHORITY**, EFFECTIVE MARCH 1, 2010 AND EXPIRING FEBRUARY 28, 2015

Passed: All present voting "aye."

VII. CONSENT AGENDA.

Consent Agenda items are considered under one motion.

Motion/Second: Munsey/Joh, to adopt:

1. Consideration of an Ordinance to Amend the FY10 School Nutrition Services Fund Budget (AF: 43-2010).

Adopt:

Ordinance No. 5940, AN ORDINANCE TO AMEND THE SCHOOL NUTRITION SERVICES FUND; AND, TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham and Phillips voting "aye."

2. Consideration of an Ordinance to Amend the FY10 General Project Fund Budget (AF: 42-2010).

Adopt:

Ordinance No. 5941, AN ORDINANCE TO AMEND THE GENERAL PROJECT FUND BUDGET BY APPROPRIATING QUALIFIED SCHOOL CONSTRUCTION BOND SERIES 2009; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

Passed on second reading in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham and Phillips voting "aye."

3. Consideration of an Approval of Offers for Easements and Rights-of-Way for the Deere Property Waterline Relocation Project (AF: 60-2010).

Approve:

OFFERS FOR EASEMENTS AND RIGHTS-OF-WAY FOR THE DEERE PROPERTY WATERLINE RELOCATION PROJECT

Passed in a roll call vote: Joh, Mallicote, Marsh, Munsey, Parham and Phillips voting "aye."

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VIII. COMMUNICATIONS.

A. CITY MANAGER. City Manager Campbell had no comments.

B. MAYOR AND BOARD MEMBERS. Alderman Marsh has received considerable citizen feedback and concern that a property tax increase looks inevitable and he wanted to make it known that he will not support any tax or fee increase. He challenged the City Manager and City staff to put together a balanced budget, with essential services intact, without relying on any additional revenue increase.

Alderman Parham reported that the Great Body Company is planning to invest in an expansion of the current business and opined that City leadership and confidence has affected that decision. He added that there are plans to link that part of the City to the Greenbelt with a low cost Greenbelt expansion to be accomplished through donated property and City staff work.

Vice-Mayor Mallicote was pleased to report on the positive and progressive attitudes and efforts of the downtown business merchants and promotional entities all working together since this Board voted to allocate money to the Kingsport Convention and Visitors Bureau (KCVB) for downtown promotion. He commended Downtown Kingsport Association (DKA) members, Chaiba Bloomer, Wayne Fortney and Greg Hauk, for their involvement in bringing all parties together and he stated that he would now be one of the most enthusiastic supporters of DKA and its direction in downtown promotion.

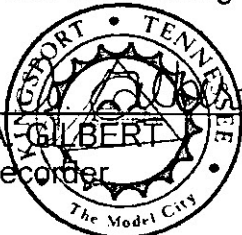
Mayor Phillips mentioned the many hours committed by and commended Vice-Mayor Mallicote for his involvement in achieving this positive outcome and resolution. The Mayor also commended Eastman Chemical Company president, Jim Rogers, for his visible and public support of Kingsport and for being such a committed member of the community.


Mayor Phillips once again thanked the Public Works department for the excellent job done with snow removal during this difficult winter weather.

C. VISITORS. None.

IX. ADJOURN. Seeing no other business for consideration at this meeting, Mayor Phillips adjourned the meeting at 8:00 p.m.


ELIZABETH A. GILBERT
Deputy City Recorder




DENNIS R. PHILLIPS
Mayor